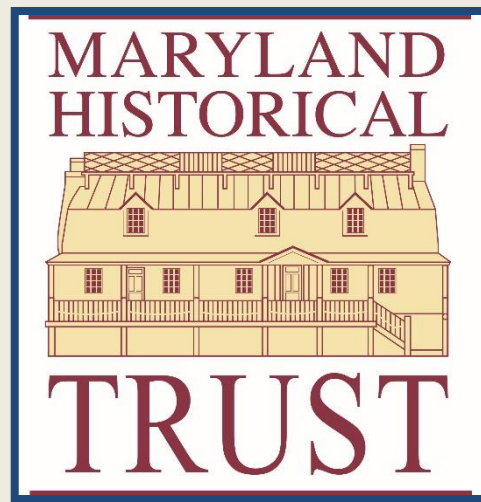


Section 106 for Consulting Parties



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Introduction



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Review and Compliance Program

**Annual Reviews:
6,500+ Projects**



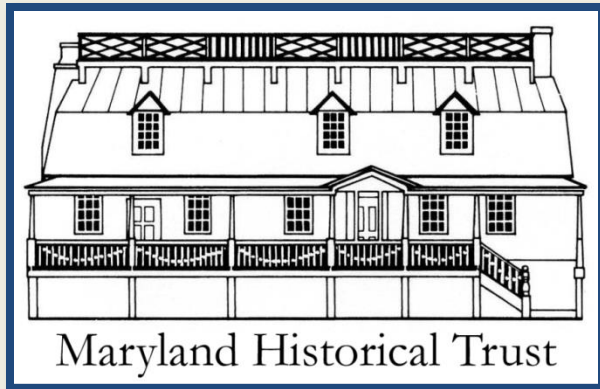
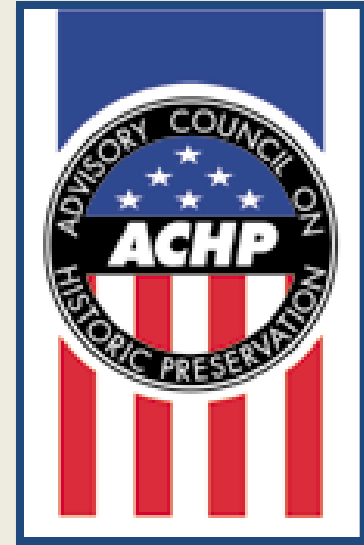
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Legislative Mandates

Federal Law:

Section 106 of the National Historic Preservation Act of 1966 (16 USC 470)

36 CFR Part 800: Protection of Historic Properties Implementing Regulations



State Law:

The Maryland Historical Trust Act of 1985 (Sections 5A-325 and 5A-326 of the State Finance and Procurement Article, Annotated Code of Maryland)



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Legislative Mandates

Heritage Area Law:

Section 13-1112(b) of the Financial Institutions
Article, Annotated Code of Maryland



Units of State government that conduct or support activities affecting a certified heritage area shall:

1. Consult, cooperate and coordinate their activities with each certified heritage area.
2. Carry out activities in a manner that is consistent with the approved management plan for the certified heritage area.
3. Assure that their activities will not have an adverse effect on the historic and cultural resources of the certified heritage area, unless there is no prudent and feasible alternative.



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Section 106 – Review Process

1

Initiate Consultation:

Establish Undertaking
Identify Appropriate SHPO/THPO

Plan to Involve the Public
Identify Other Consulting
Parties

2

Identify Historic Properties:

Determine the APE
Identify historic properties in the APE
Apply Criteria of Effect

Involve the Public
Consult with SHPO/THPO
and other parties

3

Assess Effects:

Apply Criteria of Adverse Effects
Involve the Public

Consult with SHPO/THPO
and other parties

4

Resolve Adverse Effects:

Notify ACHP
Consider means to avoid,
minimize, mitigate

Involve the Public
Consult with SHPO/THPO
and other parties



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Step 1 – Initiate Consultation

Undertakings -Project Types Subject to Review



- New construction
- Rehabilitation of existing facilities
- Demolition
- Infrastructure improvements
- Ancillary activities
- Environmental mitigation
- Excess federal/state property
- Grant assisted projects
- Permits and licenses



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Step 1 - Initiate Consultation

Identify Consulting Parties

- MHT/ MD SHPO
- Agencies
- Advisory Council
- Federal Tribes/State Tribes
- Local governments
- Applicants for federal or state assistance, permits, licenses
- Preservation advocacy groups
- Certified Heritage Areas
- Other organizations
- The public




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Step 2 - Identifying Historic Properties



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Step 2 - Identifying Historic Properties

**MEDUSA**
Maryland's Cultural Resource Information System

Results

Overview Layers Text Search Map Search

Welcome

Welcome to Medusa, the Maryland Historical Trust's online database of architectural and archeological sites and standing structures. The Maryland Historical Trust, home of the State Historic Preservation Office (SHPO), is the official repository for the Maryland Inventory of Historic Properties (MIHP), which includes both architectural resources and archeological sites. The database includes records for the National Register of Historic Places (NRHP) properties in Maryland, determinations of eligibility (DOE) records, and records for properties in the Maryland Historic Preservation Easement program.

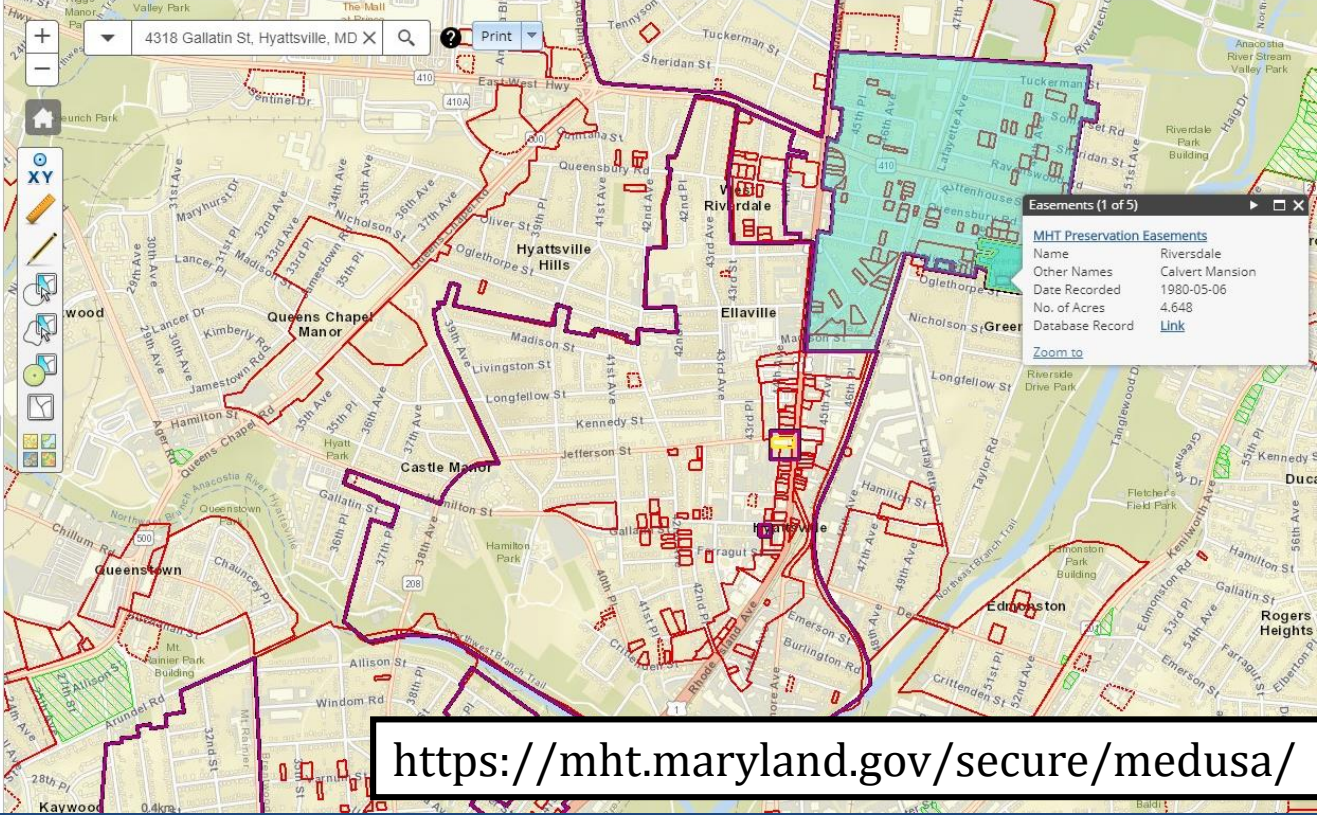
This program provides a map- and text-search based interface for Medusa. Begin by zooming to your area of interest (if you are doing a map search) or open the Text Search tab if you prefer to do a text-based search. Use the Layers tab to select which layers you wish to view. Click on the Base Map Gallery if you wish to change the background map.

IMPORTANT: Note that you will not see any archeology-related records until you sign in by clicking the Log In link in the upper right. You must have a valid Medusa account to see these records.

Users who do not need a map interface and prefer the "old" version of Medusa can click on the "Go to Text-Based Medusa" in the upper right.

Get started by zooming to your area of interest!

Tutorials



Easements (1 of 5)

MHT Preservation Easements

Name	Riversdale
Other Names	Calvert Mansion
Date Recorded	1980-05-06
No. of Acres	4.648
Database Record	Link
Zoom to	

<https://mht.maryland.gov/secure/medusa/>

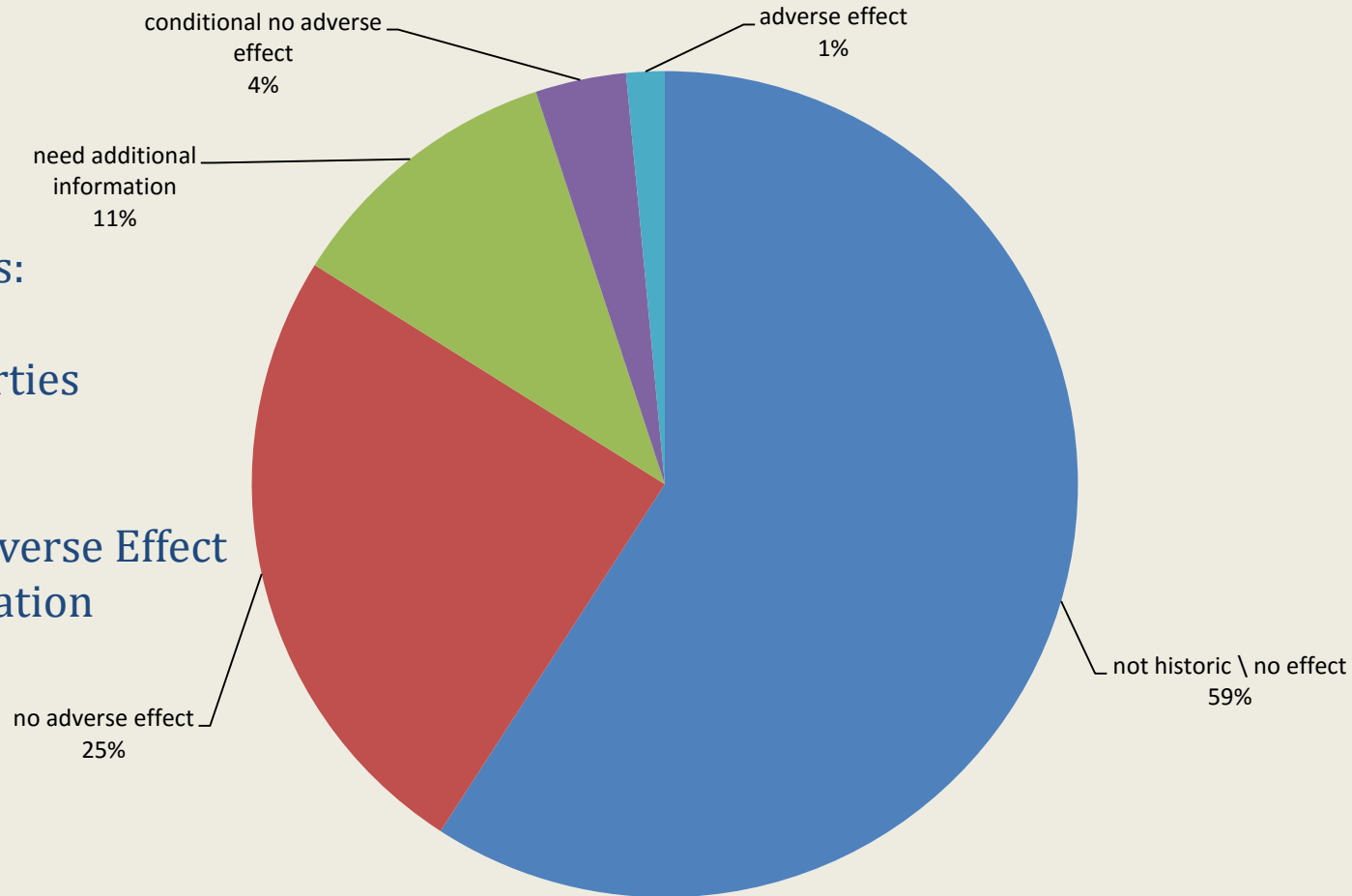


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Step 3 - Assessing Effects

Effect Determinations:

- No Historic Properties
- No Effect
- No Adverse Effect
- Conditional No Adverse Effect
- Additional Information Needed
- Adverse Effect



Step 4 - Resolving Adverse Effects

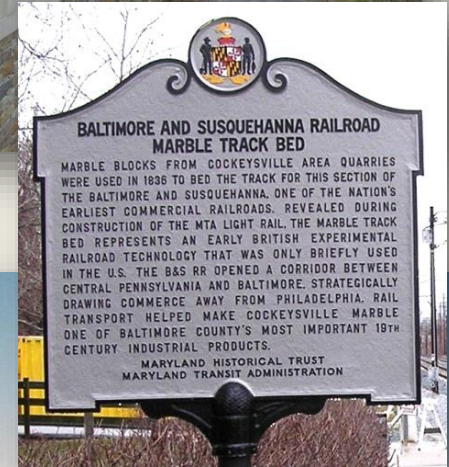


- Continue consultation
- Involve consulting parties & the public
- Explore avoidance, minimization and mitigation measures
- Develop Memorandum of Agreement
- Proceed with project



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Roles of Consulting Parties



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September 27, 2017

Beth Cole
Administrator, Project Review and Compliance
Maryland Historical Trust
100 Community Place
Crownsville, MD 21032

RE Downtown Frederick Hotel and Conference Center- Frederick, Frederick County

Dear Ms. Cole:

The Department of Housing and Community Development (The "Department") is writing to notify you of a redevelopment project in downtown Frederick and invites you to participate in our historic preservation consultation process. The project, the Downtown Frederick Hotel and Conference Center, is receiving state funding from the Department and Maryland bond bill capital grants, therefore in compliance with the Maryland Historical Trust Act of 1985, the Department has initiated a consultation with the Maryland Historical Trust and is seeking owners who are interested in the project to participate as "consulting parties."

Development of the project will involve adaptive reuse and rehabilitation of the historic News Post Building/Frederick Railway Terminal Building located at 212 East Patrick Street, and adjacent new construction of a hotel and conference facility with a parking garage. The new construction component of this project will necessitate the demolition of the non-historic 1967 addition to the Press Building and demolition of the historic Birely Tannery building located at 200 East Patrick and its associated archeological site.

The News Post Building and Birely Tannery Building are located within and contribute to the significance of the Frederick Historic District (Maryland Inventory of Historic Properties number P-3-39). Additionally the Birely Tannery archeological site (18FR375) was considered separately and determined to be individually eligible for inclusion in the National Register. It was determined by the Maryland Historical Trust that demolition of these resources will constitute an adverse effect on historic and archeological properties.

Due to this finding, the Department and project partners must consider ways in which the adverse effects can be avoided, minimized, or mitigated. The City of Frederick has identified organizations that have expressed interest in the project and may have valuable ideas and input on how to resolve the adverse effects. A meeting for consulting parties has been scheduled for:

Wednesday, October 18th
10am-noon

Delaplaine Center for Visual Arts Education, Margaret Gardiner Hall
40 South Carroll Street, Frederick, MD 21701



MARYLAND DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
2 North Charles, Suite 450 • Baltimore, MD 21201 • dhcd.maryland.gov
(P) 410-209-5820 • (F) 410-685-8270 • 1-800-756-0119 • TTY/RELAY 711 or 1-800-735-2258



Please respond by October 13th to let me know if your organization wishes to participate as a consulting party and provide names of representatives who wish to attend the meeting on October 18th. If you are unable to attend the meeting but would still like to participate as a consulting party, you may also submit written comments for the project planners to consider. You can reach me at Melissa.Archer2@maryland.gov or at 410-209-5820 for any questions or comments.

Sincerely,

Melissa Archer
Project Manager
Division of Neighborhood Revitalization

Enclosures

Cc: Amanda Apple, MHT, Preservation Officer
Richard Griffin, City of Frederick, Director of Economic Development
Sara Jackson, DHCD, Project Coordinator



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Roles of Consulting Parties



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Citizen's Guide Tips

- Keep an open mind;
- State your interests clearly;
- Acknowledge that others have legitimate interests, and seek to understand and accommodate them;
- Consider a wide range of options;
- Identify shared goals and seek options that allow mutual gain; and
- Bring forward solutions that meet the agency's needs.

www.achp.gov/citizensguide.pdf



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Protecting Historic Properties

ADVISORY COUNCIL ON HISTORIC PRESERVATION

Protecting Historic Properties:

A CITIZEN'S GUIDE TO SECTION 106 REVIEW



WWW.ACHP.GOV

Preserving America's Heritage

Preservation Treatments

- Avoidance
- Protection
- Stabilization
- Mothballing
- Marketing
- Adaptive Reuse
- Rehabilitation



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Design Review



- New construction within historic district
- Rehabilitation of building
- Additions to historic buildings
- Landscaping plans
- Adherence to the *Secretary of the Interior's Standards*
- Context sensitive solutions
- SHPO review and approval



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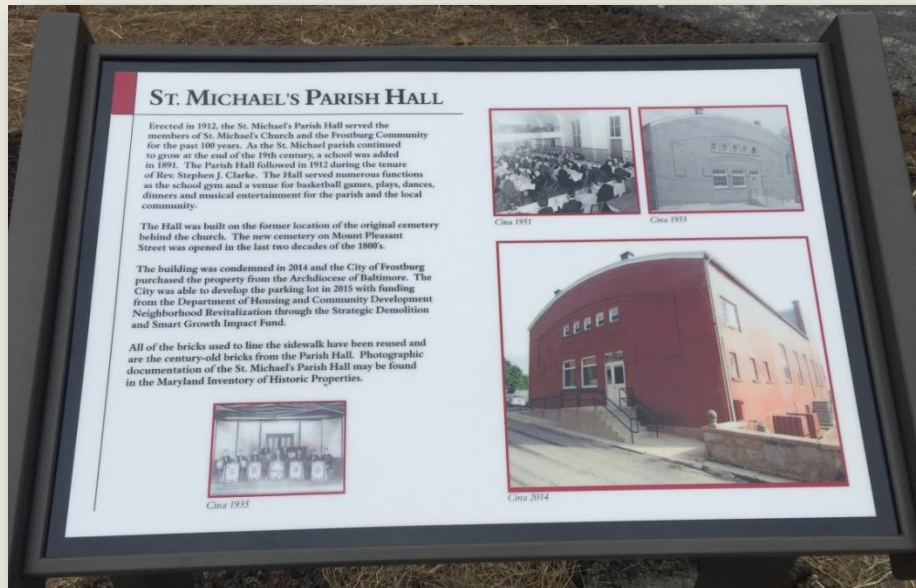
Documentation

- Recordation
- Data recovery
- Oral histories
- Research



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Public Interpretation



- Signs / markers
- Exhibits & films
- Walking /driving tours
- Websites

- Educational programs
- Site tours / visits
- School curriculum
- Popular publications



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Creative Mitigation

- 
- NR nomination
 - Salvage
 - Oral history
 - Historic context
 - Survey efforts in the surrounding region
 - Public outreach
 - Preservation advocacy efforts
 - Rehabilitation of a similar property type



MARYLAND

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MD 328 – Koubeck site



- Site avoidance
- Acquisition
- Preservation
- Tribal coordination
- Fulfills cultural and environmental stewardship goals



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Mitigation packages



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Intercounty Connector - MD 200



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Tips for Success

- Be informed
- Actively participate
- Provide constructive comments
- Become a successful preservation advocate
- Build partnerships and effective working relationships
- *Help create solutions that meet project needs and promote preservation outcomes*



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Section 106 - Tools

- mht.maryland.gov
- achp.gov
- nps.gov/history
- preservationnation.org
- preservationmaryland.org



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Consulting Parties - Questions?



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